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UNCLAS VIENNA 002199

SIPDIS

SENSITIVE

STATE FOR EUR/AGS AND EUR/OHI

E.O. 12958: N/A

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SUBJECT: AUSTRIA: CARINTHIAN STATE LEGISLATURE BLOCKS
KAMPL FROM ASSUMING CHAIR OF FEDERAL UPPER HOUSE

REF: VIENNA 1484

THIS MESSAGE IS SENSITIVE BUT UNCLASSIFIED.

1. (sbu) On June 29, The Carinthian State Legislature blocked controversial nationalist Siegfried Kampl (formerly BZO, now an Independent) from becoming president of the Federal Upper House. In a special session all but one of the 33 State Legislators present voted to drop Kampl. Instead, BZO Member Peter Mitterer (58) will assume the rotating 6-month chair of Austria's Upper House on July 1. Kampl, who remains a member of the Federal Upper House, said he would challenge the move before Austria's constitutional court.

2. (sbu) Kampl had unleashed a storm of protest in April when he complained of "brutal persecution" of Nazis after World War II and described "some WWII deserters" as "murderers of their comrades" (reftel). In response, on June 6, the national parliament passed a constitutional amendment allowing state legislatures to change the rank-order of their representatives to the Upper House. This ranking determines who will assume the presidency of the chamber (which rotates among the states every six months).

3. (sbu) In a related development June 29, the Vienna state legislature unanimously voted to lift the immunity of controversial Vienna legislator John Gudenus. Gudenus had recently made statements questioning the existence of gas chambers in the Third Reich. This will clear the way for the public prosecutor to initiate preliminary investigations against Gudenus for violation of Austria's law against neo-Nazi activities.

Brown